

### **REMARKS**

Reconsideration of this application is respectfully requested. Claims 2-8 and 10-24 were pending in this application. By the Office Action mailed on January 13, 2006, claims 2-8 and 10-24 were rejected. Claims 2, 4, 5, 11, 13, 14, 19 and 20 have been amended. Claims 2-8 and 10-24 remain in the application.

### **Rejection Under 35 U.S.C. § 102**

Claims 2-5, 9-14 and 19-21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No 5,872,926 to Levac et al. (Hereinafter "Levac"). The remarks below refer to the claims as amended herein.

Independent claim 2 recites, in part,

*generating, subsequent to receiving the request from the requesting wireless device, a response* to the request for data, the response to include renderable data that is configured for one or more characteristics of the requesting wireless device;

Levac is generally directed to a method and apparatus for sending *a message* from a transmitting source device to diverse receiving devices. (Abstract, col. 1, lines 33-47; col. 3, lines 2-9). Levac does not disclose any *wireless device* capable of making a *request*. Moreover, Levac does not disclose any method or apparatus for generating a *response* to the requesting device. Accordingly, Levac does not teach or disclose the limitation of "*generating, subsequent to receiving the request from the requesting wireless device, a response*" as recited in the above claim element. Because Levac does not disclose every element of independent claim 2, neither claim 2, nor claims 3-5, 9-10 and 21, which depend from, and further limit claim 1, are anticipated by Levac.

Independent claim 11 recites, in part,

*one or more processes that generates a response to the request from the wireless device*, the one or more processes being configured to generate the response subsequent to receipt of a request for data from the wireless device, and according to a device profile corresponding to the requesting wireless device;

For reasons discussed in conjunction with claim 2, Applicant submits that Levac does not disclose or suggest the limitation of “one or more processes that generate *a response to the request from the wireless device*,” as described in claim 11. Because Levac does not teach every limitation of claim 11, neither claim 11, nor claims 12-14 and 19-20, which depend from, and further limit claim 11, are anticipated by Levac.

**Rejection Under 35 U.S.C. § 103(a)**

Claims 6-8, 15-18, 23 and 24 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Levac in view of Himmel. Because claims 6-8 depend from, and further limits claim 2, claims 6-8 necessarily include all the limitations of claim 2, including the limitation of:

*generating, subsequent to receiving the request from the requesting wireless device, a response* to the request for data, the response to include renderable data that is configured for one or more characteristics of the requesting wireless device;

As discussed in conjunction with claim 2, Levac does not teach the limitation recited above, and applicant submits that Himmel does not teach this limitation either. Himmel teaches receiving a request from a device having a particular type of web browser, and *re-directing* that request to a URL address associated with a pre-existing web page according to the type of browser of the requesting device. (Himmel, Abstract, col. 1 lines 5-9, col. 4 lines 42-54). However, Himmel does not disclose or suggest the limitation of “*generating, subsequent to receiving the request from the requesting*

wireless device, *a response to the request for data*” as recited above. Because neither Levac nor Himmel teach the above recited claim limitation, even if Levac and Himmel could be combined in a manner suggested by the examiner, their combination still would not disclose or suggest every limitation of claims 6-8, and therefore would not establish a prima facie case for obviousness over claims 6-8.

Because claims 15-18 and claims 23-24 depend from, and further limit claim 11, claims 15-18 and claims 23-24 necessarily include the limitation:

*one or more processes that generate a response to the request from the wireless device, the one or more processes being configured to generate the response subsequent to receipt of a request for data from the wireless device, and according to a device profile corresponding to the requesting device;*

As discussed in conjunction with claim 11, Levac does not teach this limitation, and applicant submits that Himmel does not teach this limitation either. Himmel teaches receiving a request from a device having a particular type of web browser, and *re-directing* that request to a URL address associated with a pre-existing web page according to the type of browser of the requesting device, but does not teach the limitation of “one or more processes that *generate a response to the request from the wireless device . . . subsequent to receipt of a request*” Because neither Levac nor Himmel teach the above recited limitation, even if Levac and Himmel could be combined in a manner suggested by the examiner, their combination still would not disclose or suggest every limitation of claim 11, and therefore would not establish a prima facie case for obviousness. For at least these reasons, claims 15-18, 23 and 24 are allowable over Levac, Himmel, and their combination.

**Conclusion**

In view of the above remarks, Applicant submits that all pending claims are in condition for allowance, and requests notification of allowance at the Examiner's earliest opportunity. If a telephone interview would be helpful in any way, the examiner is invited to call the undersigned attorney.

Authorization is hereby given to charge deposit account 50-1914 for any fee deficiency associated with this Response.

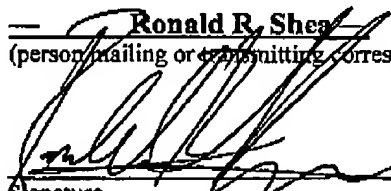
Respectfully submitted

SHEMWELL MAHAMED I LLP

Dated: April 11, 2006

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